

**3950. Misbranding of ergotin-aloe compound pills, ergotin and aloe compound tablets, amphetamine sulfate tablets, and sulfamerazine tablets. U. S. v. Tarlow Pharmacy, Sam Silverman, and Sidney Klein. Pleas of guilty. Fine of \$400, plus costs, against defendants jointly. (F. D. C. No. 33847. Sample Nos. 33548-L, 33551-L, 33552-L, 33564-L.)**

**INFORMATION FILED:** December 19, 1952, Northern District of Illinois, against the Tarlow Pharmacy, a partnership, Chicago, Ill., and Sam Silverman and Sidney Klein, partners in the partnership.

**ALLEGED VIOLATION:** On or about October 17, 18, 19, and 22, 1951, while quantities of *ergotin-aloe compound pills, ergotin and aloe compound tablets, amphetamine sulfate tablets, and sulfamerazine tablets* were being held for sale at the Tarlow Pharmacy, after shipment in interstate commerce, the defendants caused various quantities of such drugs to be repackaged and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

**NATURE OF CHARGE:** Misbranding, Sections 502 (b) (1) and (2), the repackaged drugs failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (e) (1), the repackaged *sulfamerazine tablets* failed to bear a label containing the common or usual name of the drug; Section 502 (e) (2), the repackaged *ergotin-aloe compound pills, ergotin and aloe compound tablets, and amphetamine sulfate tablets* failed to bear labels containing the common or usual name of each active ingredient of the drugs; and, Section 502 (f) (2), the repackaged *sulfamerazine tablets* failed to bear labeling containing adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

**DISPOSITION:** February 13, 1953. Pleas of guilty having been entered, the court imposed a fine of \$400, plus costs, against the defendants jointly.

**3951. Misbranding of dextro-amphetamine sulfate tablets and tablets of sulfadiazine and sulfamerazine. U. S. v. Clay D. Lantz (Lantz Drug Store), and Oscar F. Brown. Pleas of guilty. Fine of \$300 against Defendant Lantz and \$200 against Defendant Brown. (F. D. C. No. 33855. Sample Nos. 10950-L, 35740-L, 35747-L.)**

**INFORMATION FILED:** February 3, 1953, Southern District of Ohio, against Clay D. Lantz, trading as the Lantz Drug Store, Portsmouth, Ohio, and Oscar F. Brown, a clerk in the drugstore.

**ALLEGED VIOLATION:** On or about December 26, 1951, and January 8, 1952, while quantities of *dextro-amphetamine sulfate tablets* and *tablets of sulfadiazine and sulfamerazine* were being held for sale at the Lantz Drug Store, after shipment in interstate commerce, various quantities of the drugs were repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

Each of the defendants was charged with causing the repackaging and dispensing of the *dextro-amphetamine sulfate tablets*, and, in addition, Clay D. Lantz was charged with causing the repackaging and dispensing of the *tablets of sulfadiazine and sulfamerazine*.

**NATURE OF CHARGE:** Misbranding, Section 502 (b) (1), the repackaged drugs failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (e) (2), the repackaged *tablets of sulfadiazine and sulfamerazine* failed to bear a label containing the common or usual name of each active ingredient of the drug; and, Section 502 (f) (2), the labeling of the repackaged *tablets of sulfadiazine and sulfamerazine* failed to bear adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

**DISPOSITION:** February 11, 1953. Pleas of guilty having been entered, the court imposed a fine of \$300 against Defendant Lantz and a fine of \$200 against Defendant Brown.

**3952. Misbranding of sulfathiazole tablets. U. S. v. Sam's Cut Rate Drugs, Inc., and Claude E. Wilson and Carl R. Miller.** Pleas of nolo contendere. Fine of \$100 against corporation, \$100 against Defendant Miller, and \$50 against Defendant Wilson, plus costs. (F. D. C. No. 33846. Sample Nos. 33549-L, 33555-L, 33556-L, 33563-L.)

**INFORMATION FILED:** January 22, 1953, Northern District of Illinois, against Sam's Cut Rate Drugs, Inc., Chicago, Ill., and Claude E. Wilson and Carl R. Miller, pharmacists for the corporation.

**ALLEGED VIOLATION:** On or about October 17, 19, and 21, 1951, while a number of *sulfathiazole tablets* were being held for sale at Sam's Cut Rate Drugs, Inc., after shipment in interstate commerce, various quantities of the tablets were repacked and dispensed without a physician's prescription, which acts resulted in the repackaged tablets being misbranded.

The corporation was charged in each of the four counts of the information with causing such acts of repacking and dispensing, and Claude E. Wilson was joined as a defendant in one count and Carl R. Miller was joined as a defendant in the other three counts of the information.

**NATURE OF CHARGE:** Misbranding, Sections 502 (b) (1) and (2), the repackaged tablets failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 502 (e) (1), the repackaged tablets failed to bear a label containing the common or usual name of the drug; and, Sections 502 (f) (1) and (2), the repackaged tablets failed to bear labeling containing adequate directions for use and adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

**DISPOSITION:** February 16, 1953. Pleas of nolo contendere having been entered, the court imposed a fine of \$100 against the corporation, \$100 against Defendant Miller, and \$50 against Defendant Wilson, plus costs.

**3953. Adulteration and misbranding of various drugs. U. S. v. 1 Bottle, etc.** (F. D. C. No. 33580. Sample Nos. 18348-L to 18350-L, incl., 39891-L, 39892-L, 39894-L to 39896-L, incl.)

**LABEL FILED:** September 8, 1952, District of Arizona.